



Section 4

PATENT
Attorney Docket No.: DIVER1280-17

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Short, et al.
Serial No.: 09/975,036
Filed: October 10, 2001
Title: HIGH THROUGHPUT OR CAPILLARY-BASED SCREENING FOR A BIOACTIVITY OR BIOMOLECULE

Art Unit: 1645
Examiner Unassigned

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed November 15, 2001, enclosed are:

1. A copy of the Notice to File Missing Parts of Application (2 pages);
2. An executed Declaration for Patent Application (3 pages);
3. A Power of Attorney by Assignee (2 pages);
4. Substitute drawings (27 pgs.);
5. Petition for Extension of Time (2 pages);
6. Check in the amount of \$55.00; and
7. Check in the amount of \$3146.00

Response to Sequence Listing is concurrently being filed under separate cover.

Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on February 15, 2002, in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231

Lisa Corrales
Lisa Corrales

In re Application of:
Short, et al.
Application No.: 09/975,036
Filed: October 10, 2001
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The filing fee has been calculated as shown below:

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	217-20	=	197	X	\$09	\$18	=	\$1773.00	\$.00
Independent Claims	22-3	=	19	X	\$42	\$80	=	\$798.00	\$.00
Multiple Dependent Claims Presented: ___ Yes <u>X</u> .o					\$140	\$260		\$140.00	0
					BASIC FEE			\$370.00	\$
					TOTAL FEE			3081.00	

Enclosed is a check in the total amount of \$3146.00 to cover the surcharge fee of \$65.00, \$1773.00 for the extra claims fee, \$798.00 for the independent claims fee, \$140.00 for the multiple dependent fee, and \$370.00 for the application filing fee. Also enclosed is a check in the amount of \$55.00 for the filing for the Petition for Extension of Time. The Commissioner is authorized to charge any additional fees or credit any overpayment, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: February 15, 2002

By: Richard L. Reynolds Reg. No. 32643
For: Kelly Reynolds
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/975,036	10/10/2001	Ray M. Short	DIVER1280-17

CONFIRMATION NO. 2400

Lisa A. Haile, Ph.D.
 Gray Cary Ware & Freidenrich LLP
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 San Diego, CA 92121-2189

PATENT DOCKETING

NOV 20 2001

GRAYCARY/T.ELLIS

FORMALITIES LETTER

OC000000007074411

Repln. Ref: 03/06/2002 SHINASS1 0010063200
 DAH:501355 Name/Number:09975036
 FC: 704 \$370.00 CR

Date Mailed: 11/15/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/06/2002 SHINASS1 00000038 09975036

FILED UNDER 37 CFR 1.53(b)

01 FC:203 1773.00 DP ✓
 02 FC:202 798.00 DP ✓
 03 FC:204 140.00 DP ✓
 04 FC:205 65.00 DP ✓

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$2711.

- \$1773 for 197 total claims over 20.
- \$798 for 19 independent claims over 3.
- \$140 for multiple dependent claim surcharge.

Adjustment date: 03/20/2002 YGIZAH
 03/06/2002 SHINASS1 00000038 09975036
 01 FC:203 -1773.00 DP
 02 FC:202 -798.00 DP
 03 FC:204 -140.00 DP

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2776.**

Repln. Ref: 03/20/2002 YGIZAH 0008133800
 DAH:501355 Name/Number:09975036
 FC: 704 \$2711.00 CR

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at

63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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